

REMARKS

This is in response to the Office Action that was mailed on December 1, 2004. In that Office Action, the Examiner had stated that "with regard to the phrase 'for LED devices' this is a future intended use clause". In response to that statement by the Examiner, claims 1-6 have been replaced by claims 7-12 which avoid the "future intended use" issue. New claim 13 adds a preferred catalyst recitation in accordance with disclosure in lines 7-19 on page 7 of the specification. New claim 14 recites the improved light transmittance property provided by cured compositions of the present invention, based upon such disclosure as that appearing in Table 3 on page 12 of the specification. It will be noted that after 500 hours of exposure to ultraviolet light, the compositions of Examples 1-3 had light transmittance values of at least 90%, while the composition of the Comparative Example had a light transmittance of only 65%. No new matter is introduced by this Amendment. Claims 7-14 are pending in the application.

Claims 1-5 were rejected under 35 U.S.C. §102 as being anticipated by each of US 4,239,867 (Legrow), US 5,739,199 (Eguchi), and US 3,996,195 (Sato). The rejections are respectfully traversed.

Sato describes siloxane compositions that have good adhesive properties as well as high transparency. Eguchi describes siloxane

compositions having improved refractive index properties. Legrow teaches siloxane compositions that are said to be useful for encapsulating electronic equipment. Of these three references, it appears that Legrow comes closest to the present invention. However, Legrow discloses that: "These resins are especially useful for encapsulating electronic equipment such as backpack transistors, transformers and gas sensors for electronic auto emission testing". Column 4, lines 16-19. Such electronic equipment does not provide light emission, unlike LED devices of the present invention, which provide light emission even in the continued presence of high energy rays such as ultraviolet rays. Those of ordinary skill in the art are well aware of significant differences between such equipment (i.e., backpack transistors, transformers, and gas sensors) and the LED devices of the present invention. Applicants will, if the Examiner believes that it is necessary, document this aspect of the knowledge of those of ordinary skill in the art.

Claim 14, moreover, expressly recites that components (A), (B), and (C) in the presently claimed compositions "are selected such that a cured sample of said composition has a light transmittance of at least 90% after exposure to light for 500 hours". None of Legrow, Eguchi, and Sato provides the public with compositions that have a comparably long persistence of light transmission properties.

Accordingly, it is respectfully submitted that the present claims are neither anticipated nor rendered obvious by Sato, Eguchi, or Legrow.

Claim 6 (see new claims 12 and 13) had been rejected under 35 U.S.C. §103 as being unpatentable over each of the Sato and Eguchi references. The rejections are respectfully traversed.

Regarding Sato, the Examiner reads the Sato disclosure as teaching the equivalence of different classes of phenyl groups allegedly meeting the requirements of component (B) in claim 6 herein, and argues that the substitution of equivalents is *prima facie* obvious. The Examiner also refers to the substitution of equivalents in connection with the rejection over Eguchi.

The presently claimed compositions, however, provide unexpected beneficial improvements in properties - as documented for instance in Tables 2 and 3 in the specification - which effectively rebut any *prima facie* case of obviousness herein. Table 2, for instance, demonstrates that compositions of the present invention retain light transmittance values of 90% or greater even after 500 hours of exposure to UV light, while a conventional composition has a light transmittance of only 65% after 500 hours of UV light exposure.

Accordingly, it is respectfully submitted that claims 12 and 13 are not rendered obvious by Sato or Eguchi. Withdrawal of this ground of rejection is respectfully solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Richard Gallagher (Reg. No. 28,781) at the telephone number of the undersigned below, in order to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s):